

**BOROUGH OF ROCKY HILL
COUNCIL MINUTES
FEBRUARY 6, 2006**

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor George Morren at 7:33 PM. Mayor Morren led the Pledge of Allegiance to the Flag. Mayor Morren stated that the meeting has been properly advertised in the December 17, 2005, issue of the Somerset Messenger Gazette and is being held in accordance with the Open Public Meetings Act.

Roll Call: Mr. Brian Griner-present, Mr. Brad Merritt-present, Ms. Eileen Uhrik-present, Mr. Jared Witt-present, Mr. Edward Zimmerman-present

Absent: Mr. Richard Batchelder

Also present: Borough Clerk Raymond Whitlock, Borough Attorney Albert Cruz, Borough Engineer William Tanner

APPROVAL OF REGULAR MINUTES

Motion to approve the regular minutes of the January 17, 2006, meeting was made by Witt with a second by Zimmerman. Motion carried on roll call vote – all ayes.

Motion to approve the executive session minutes of January 17, 2006, meeting was made by Witt with a second by Zimmerman. Motion carried on roll call vote – all ayes.

PUBLIC COMMENTS

Courtney White, 49 Washington St., presented a list of Borough residents that have formed a group to voice their opposition of the proposed WAWA application in Montgomery Township. The group is requesting to work in conjunction with the Borough on this matter. Mayor Morren will continue to relate the Borough's involvement with this project to the group's liaison, Ms. White. It was noted that any information sought by the group from the Borough professionals should be requested through the Mayor.

Mark Germaine, 15 Washington St., expressed his disappointment with the testimony offered by the Borough's traffic expert at the most recent public hearing on the WAWA application in Montgomery Township.

Hearing no other comments/questions, the floor was closed to the public.

ENGINEER'S REPORT

Engineer Tanner's report dated February 3, 2006, for January 2006, was distributed (copy on file in Borough Clerk's Office. The following items were discussed:

Phase II of the County park project is underway. Engineer Tanner is in the process of getting proposals on the restroom/shelter in hopes of going out to bid in March. Mr. Griner requested consideration be made for fencing/shrubbery to prevent trespassers on the private property abutting the park (Washington Knoll Condominium Association) due to liability reasons. It was agreed that Mr. Griner will attend the Park Committee meeting along with Engineer Tanner to further discuss this matter. Engineer Tanner will also be confirming Montgomery Township's allocation of funds for the Phase II project.

Princeton Ave. Sidewalks – Engineer Tanner advised that he has sent a landscape plan to Ms. Soika for her consideration and response back to Council by the next meeting. Engineer Tanner reviewed the consequences of putting the sidewalks on the west side of Princeton Ave. as they relate to environmental issues.

Municipal Recreation Shelter (Pavilion) – The project is expected to be completed over the next eight weeks. Courtney White will check on the dates of the nursery school camp to ensure there is no conflict.

Crescent Ave. Pond – Engineer Tanner met with George White and examined how the pond operates. It was found that a root in the pipe may be impeding the flow in the outfall pipe. Engineer Tanner suggested that the pipe be replaced and a trash gate be installed to avoid future clogging of the pipe. He will research whether a general permit will be needed from DEP and will confer with Montgomery Township representatives about the situation since it is part of the county park plan. Engineer Tanner will provide an estimated cost to Council.

Library Grant for Handicapped Ramp – Tony Bianculli, Trustee of the Mary Jacobs Library, advised the library is applying for a grant for the handicapped ramp and is in need of the Borough's endorsement. In addition, they are requesting the Borough's consideration of donating three hours of the Borough Engineer's time for this project. Donation of time through VanCleaf Engineering will be requested by Engineer Tanner. Motion was made by Merritt with a second by Zimmerman for the authorization of the Borough's endorsement by the Mayor on the grant application. Motion carried on roll call vote – all ayes.

Sewer Manhole Cover – Engineer Tanner will request the County look at the problem with the manhole cover on Crescent Ave. and C.R. 518.

TRANSFERS IN THE 2005 MUNICIPAL BUDGET BY RESOLUTION

Motion to approve the resolution authorizing the following transfers was made by Griner with a second by Merritt. Motion carried on roll call vote – all ayes:

To: Insurance Liability	\$7300.00
From: Gen Adm	\$2000.00
From: Streets & Roads	\$5300.00

APPROVAL OF VOUCHERS/BILL LIST

Resolution

WHEREAS, the Treasurer has certified that sufficient funds are available to pay said vouchers, BE IT, THEREFORE, RESOLVED, that the following vouchers be approved for payment. Motion to approve the resolution was made by Merritt with a second by Witt after clarification that check #4031 to LDH Printing should be omitted from the list. Motion carried on roll call vote – all ayes. (See Appendix 1 for Bill List)

COMMITTEE REPORTS:

Administration & Records – Mr. Witt provided recommendations for code revisions (first section of review 2/6/06) for Section: Committee – Administration and Records, Chapters 1-36. In addition to the recommendations offered by Mr. Witt, it was agreed that the following should be considered/included: language to be included for Court Administrator, Deputy Court Administrator; language pertaining to Board of Health will be reviewed with representatives of same and Attorney Cruz; language pertaining to bond provisions and Shade Tree Commission regulations will be reviewed with Attorney Cruz. It was agreed that an ordinance will be adopted after all revisions are completed. Discussion to continue. Mr. Witt advised that the monthly payroll as authorized by Council has not been done to date. Clerk Whitlock and Mr. Witt will advise CFO Bobal to issue monthly payroll checks as directed. Resumes for the Deputy Zoning Official position have been received. Ms. Uhrik will speak to the applicants and report back at the next meeting.

Buildings & Grounds – Mr. Zimmerman reported on three quotes received for the purchase of a court approved recording device as follows: OBS, Inc. - \$7495.00; Collins Business Systems, Inc. - \$8150.00; TOPP Business Solutions - \$7825.00. Zimmerman moved by way of resolution to award the contract to OBS, Inc. of Pine Brook, NJ, for \$7495.00 and up to \$360.00 for the purchase of microphones with a second by Merritt. It was noted that microphones will be an optional purchase depending upon the price of adapters needed for the use of the existing microphones. The cost of the equipment will be shared between the Court and Planning Board O.E. budgets. In regard to the picnic table for Panicaro Park, Clerk Whitlock will request someone from the fire department to assist Mr. Zimmerman with placing same near the playground.

Finance & Insurance – Mr. Griner reminded all to review their respective worksheets and e-mail responses to Mr. Batchelder as soon as possible. Clerk Whitlock provided various budget items to be added for consideration during the budget process to include planning expenses relative to COAH issues, the court recording costs, salary increases requested by employees; and the cost of an officer for court duty.

Public Safety & Emergency Services – Mr. Griner advised that a meeting was held with the fire company with regard to the budget process. A meeting will also be held with Alan Querec of the rescue squad for the same purpose. A new contract is being drafted for police services with South Bound Brook. An overview of the Constables' report was provided. Request for the placement of a "no parking sign" in front of Peppi's will be requested by Ms. Uhrik through the County.

Streets & Roads – Ms. Uhrik reported that all issues were addressed during the Engineer's report and she will follow up on the manhole cover issue.

Water, Sewer & Environmental Protection – Mr. Merritt provided an overview of the December utilization report as provided by Superintendent Merk. The supply of water to the Schafer/Polte tract was discussed with Mr. Merk and the option of having that project tap into Elizabethtown Water Service will be recommended.

Council Representative to Planning Board – Mr. Morren reported that the first public hearing on the Schafer/Polte Tract application was held and the applicant has been receptive to recommended changes. The hearing is continued to 2/23/06.

Council Representative to School Board – Mr. Witt reported on the recent ranking of high schools with top SAT scores with Montgomery Township being top in the state.

Council Representative to Board of Health – The reorganization meeting to be held on 2/8/06.

Zoning Official – No report at this time.

SPECIAL BUSINESS

INTRODUCTION OF ORDINANCE #1-2006 – AN ORDINANCE PROVIDING FOR THE CONSTRUCTION OF PHASE 2 OF PARK IMPROVEMENTS IN AND BY THE BOROUGH OF ROCKY HILL, IN THE COUNTY OF SOMERSET, NEW JERSEY, APPROPRIATING \$75,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$70,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Ordinance #1 -2006 as filed in the Borough Clerk's Office, was read by title. Motion to introduce the ordinance was made by Merritt with a second by Witt. Motion carried on roll call vote – all ayes. Second reading/adoption of the ordinance will be held on March 6, 2006, at 7:30 PM in Borough Hall.

Court Recorder – Action taken under Committee Reports

Resolution – Extension of Interlocal Service Agreement between the Borough of Rocky Hill and the Borough of South Bound Brook for period of 30 days – Motion for approval of resolution was made by Merritt with a second by Zimmerman. Motion carried on roll call vote – all ayes.

E-mail Access Problems – Carried to next meeting.

COMMUNICATIONS

Communications as listed on the agenda were discussed, disseminated and/or ordered filed. Mayor Morren noted receipt of letter from the Montgomery Township Administrator regarding the cost for extending the 9-1-1 services for January. Mayor Morren will request a bill. Also discussed was the billing obligation of the Borough relative to the Rocky Hill/Montgomery Twp. Sewer Authority. A meeting will be scheduled with Montgomery Township and representatives from the Borough to include: Mayor Morren, Attorney Cruz, Auditor Morrison, Clerk Whitlock, and Councilman Merritt to further discuss this matter.

Indemnification Ordinance – A sample ordinance was provided by Attorney Cruz per previous request.

UNFINISHED BUSINESS:

None at this time.

NEW BUSINESS:

Awards dinner for Outstanding Women in Somerset County will be held on March 10th. Helen (MeiMei) Morris will be honored at same. Ticket order forms were distributed for anyone interested in attending.

2004 Borough Audit – A copy of the 2004 annual audit was provided to Mayor and Council. Action on same by Council is scheduled for March 6th.

PUBLIC COMMENT

Cliff Moore, resident, provided an update on the transport of the ambulance to Mississippi.

There being no further public comments/questions, the floor was closed to the public.

EXECUTIVE SESSION:

Motion by resolution to move into executive session was made by Witt with a second by Griner to discuss: Matters of possible litigation – Proposed WAWA in Montgomery Twp. at Rocky Hill Borough's western border. Motion carried on roll call vote – all ayes. (9:28PM)

OPEN SESSION:

There being no results to report at this time, motion by resolution to return to open session at 10:05 PM was made by Witt with a second by Zimmerman. Motion carried on roll call vote – all ayes.

ADJOURNMENT:

Motion to adjourn the meeting at 10:05 PM was made by Merritt with a second by Griner. Motion carried on voice vote – all ayes.

Respectfully submitted:

Donna M. Griffiths
Deputy Clerk